

District Judge John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

P.W. ARMS, INC., a
Washington corporation,

Plaintiff,

v.

UNITED STATES OF AMERICA, the
BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES, a Federal
Agency,

Defendants.

Case No. 2:15-cv-1990 JCC

DECLARATION OF WILLIAM E.
MAJORS

I, William E. Majors, pursuant to 28 U.S.C. Section 1746, state and declare under penalty of perjury that the foregoing is true and correct:

1. I am currently employed by the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") as the Branch Chief of the Firearms & Explosives Imports Branch ("FEIB"). I have been in this position since April of 2011.

2. I joined ATF as an inspector in May 7, 2000. In 2006 I became Supervisor in the Nashville Field Division, where I served for five years before taking my current position.

3. I served in the Army for 20 years, after which I served as a police officer.

4. The FEIB is responsible for fulfilling ATF statutory responsibilities relative to the import provisions of the Gun Control Act of 1968 ("GCA"), the National Firearms Act ("NFA"), and the Arms Export Control Act of 1976 ("AECA"), 22 U.S.C. § 2778, by processing

DECLARATION OF WILLIAM E. MAJORS
[Case No. C15-1990-JCC]- 1

UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
206-553-7970

1 applications for the importation of firearms, explosives, ammunition, and defense articles. The
2 FEIB ensures that the applications are processed and perfected in a timely manner in accordance
3 with ATF regulations. The mission of the FEIB is to ensure that import applications are
4 completed in accordance with established Federal import regulations in an effort to prevent
5 terrorism, reduce violent crime, and to protect the public from criminal acts.

6 5. As Branch Chief of the FEIB I oversee all of the work of the branch and ensure
7 that we are meeting objectives as described above.

8 6. In general, ATF regulations implementing the issuance and administration of
9 permanent import controls of defense articles and services are contained in 27 C.F.R. Part 447.
10 These are regulations that set forth the processes and procedures for the application review
11 process described above.

12 7. These regulations provide that ammunition shall not be imported into the United
13 States except pursuant to a permit issued by the ATF Director. 27 C.F.R. § 447.41(a). Pursuant
14 to ATF Order 1100.168B, this authority has been re-delegated to the Chief, FEIB.

15 8. Further, pursuant to 27 C.F.R. § 447.42(a), persons required to obtain a permit
16 shall file a Form 6, Part I, with the Director. Under 27 C.F.R. § 447.35(a), the Director is
17 authorized to prescribe all forms, and “[a]ll of the information called for in each form shall be
18 furnished as indicated by the headings on the form and the instructions on or pertaining to the
19 form.”

20 9. Finally, 27 C.F.R. § 447.62 warns that: “[a]ny person who willfully, in a
21 registration or permit application, makes any untrue statement of a material fact or fails to state a
22 material fact required to be stated therein or necessary to make the statement therein no
23 misleading, shall upon conviction be find not more than \$1,000,000, or imprisoned not more than
24 10 years, or both.”

1 10. The Form 6, under item 8, requires applicants to, among other things, to provide a
2 description of the firearms and/or ammunition to be imported, including the size, quantity, unit,
3 length, and type, including “ball wadcutter, Shot, AP, Tracer.” A true and correct copy of the
4 Form 6 is attached hereto as **Exhibit A**.

5 11. The term “AP” on the Form 6 means “armor piercing”—applicants who intend to
6 import armor piercing ammunition are to circle that term or otherwise indicate that the
7 ammunition intended to be imported is armor piercing.

8 12. Applicants must then sign and date the application, Form 6, item 12,
9 acknowledging “[u]nder the penalties provided by law, I declare that I have examined this
10 application, including the documents submitted in support of it, and, to the best of my knowledge
11 and belief, it is true, correct, and complete.”

12 13. Form 6 instructions also advise that “[i]n some cases it may be necessary to
13 request additional information or to have the firearm or ammunition sent to ATF for examination
14 to determine the import status.” *See* Exhibit A at 13-14.

15 14. Written procedures were issued in a memorandum dated September 27, 2011,
16 entitled Firearms and Explosives Imports Branch Standard Operating Procedures, General
17 Branch Operations (herein after “Procedures”).

18 15. A true and correct copy of these procedures, along with the memorandum issuing
19 them, is attached hereto as **Exhibit B**.

20 16. With respect to import applications, the Procedures provide steps for the initial
21 intake and certain preliminary reviews of the Form 6 applications. *See* Exhibit B at 8-11. First,
22 the Form 6 is subjected to quality review by a Deputy Project Manager, where the form is
23 checked for completeness and accuracy. The quality review is not exhaustively described by the
24 manual, however, and “any information omitted” from the application could prompt referral of
25 the application to an ATF Specialist for further review. *Id.* at 9. Applications that have been

1 assigned to Specialists for review, may require additional research, or may require alterations to
2 ATF databases. In addition, the Specialist may, at his or her discretion, request additional
3 information from the applicant. *Id.* at 9-10.

4 17. Only then is the Form 6 application assigned to an Examiner who will review and
5 decide whether or not to grant or deny the application, or to seek more information.

6 18. There are no set rules in the Procedures for the Examiner's review and decision
7 on whether to grant or deny the application. In general, however, examiners review the form 6
8 applications in order to determine if the requested items are importable. To do this, Examiners
9 review the information provided, research the items to be imported, and review applicable laws
10 and regulations in order to determine whether the items are importable.

11 19. Examiners can, at their discretion, also seek additional information from the
12 applicants, or seek information from other sources.

13 20. As a general matter, the ATF relies upon the truthfulness of the information
14 provided by the applicant, particularly the information provided on item 8 of the Form 6.

15 21. This is a practice in keeping with the regulations and language on the Form 6
16 itself, both of which place the onus on the importer to provide complete and accurate information
17 under penalty of perjury. *See* 27 C.F.R. § 47.35(a) (providing that the ATF Director may
18 prescribe all forms and requiring importers to furnish all information called for in each form); 27
19 C.F.R. ' 47.62 (providing criminal penalties for false or materially misleading statements or
20 omissions); Ex. A, Form 6 (requiring importers to provide Atrue, correct, and complete
21 information@ in the Form 6 under penalty of perjury)). It also supports the agency's need to
22 adjudicate Form 6 applications in a timely manner, despite limited resources.

23 22. Where submitted Form 6 applications identify ammunition as "AP" or as having a
24 metal core, generally that information would generate questions and further research on the part
25 of the examiner as to whether the ammunition could be used in a handgun. This is because the

1 GCA prohibits AP or “armor piercing” ammunition, which it defines roughly as metal core
2 projectiles that may be used in a handgun, or full metal jacketed projectiles longer than .22
3 caliber designed to be used in a handgun with a jacket weight of more than 25% of the total
4 weight. The ATF as a matter of policy and industry expertise does not consider there to be a
5 difference between a partial and full steel core, as both have the same impact on whether the
6 ammunition is armor piercing.

7 23. If the ammunition is not disclosed as AP “armor piercing” or metal core, it is still
8 up to the discretion of the examiner, based on their experience and judgment, as to whether to
9 seek additional information regarding the application. There are no specific agency written
10 procedures or practices regarding the Examiner’s choice to further investigate the type of
11 ammunition as named on the application form. For that matter, there are no procedures or
12 practices relating to independent investigation by Examiners of other statements on the
13 application form.

14 24. Whether or not further investigation or additional clarification was conducted
15 with respect to any item presented on an application form was at the discretion of the Examiner.

16 25. Examiners make determinations on whether or not to grant Form 6 applications
17 based upon the information provided to them, or from information gathered from outside
18 sources, and upon the application of relevant statutes and regulations. The policy goals behind
19 the AECA and the GCA—preventing terrorism, reducing violent crime, and protecting public
20 from criminal acts guide this decision-making.

21 26. ATF Specialists and myself, as Chief of FEIB, also participate in the decision.
22 When Form 6 applications are approved, the application is signed and dated by me as Chief of
23 FEIB and returned to the applicant.

24 27. Upon return, the approved Form 6 is stamped with two separate additional
25 messages on the back: one informing the applicant that the permit does not authorize the

1 importation of ammunition or ammunition components if they contain tracer or incendiary
2 elements; and other stating as follows:

3 NOTE: this permit does not authorize the importation of the ammunition
4 described thereon if: (1) it has a projectile or projectile core which may be used in
5 a handgun and which is constructed entirely (excluding the presence of traces of
6 other substances) from one or a combination of tungsten alloys, steel, iron, brass,
7 bronze, beryllium, copper, or depleted uranium; or (2) a full jacketed projectile
8 larger than .22 caliber designed and intended for use in a handgun and whose
9 jacket has a weight of more than 25 percent of the total weight of the projectile.

10 True and correct copies of PW Arms' approved permits 13-00760, 13-01215, and 14-00996,
11 bearing the stamps on the reverse side, are attached hereto as **Exhibit C**.

12 28. This notice is to remind importers, similar to the reference to "AP" ammunition
13 on the front of the Form 6 application, of the regulations regarding armor-piercing ammunition
14 under the GCA, and the fact that the approved Form 6 permit is part of a continuing process by
15 which the ATF fulfills its statutory responsibility to regulate import of firearms, explosives,
16 ammunition and defense articles. Importers are also advised that their shipments will be subject
17 to review in order to determine whether the items imported match the descriptions in the Form 6.
18 See Ex. A at 14.

19 29. There are currently 9 examiners at FEIB, who process approximately 10,000
20 Form 6 applications per year. These same examiners also process a number of other types of
21 applications for ATF, including approximately 10,000 Non-Immigrant Alien ("NIA")
22 applications (Application and Permit for Importation – Non Immigrant).

23 30. We face some pressure from the munitions importing industry to process these
24 applications in a short period of time, so we work hard to both give the applications their due
25 review, but also adjudicate them in a timely manner. In general, most applications are processed
within one month.

1 31. Once approved, the ATF Form 6 permit will be returned to the importer along
2 with two blank ATF Forms 6A. The importer must fully complete Section I of the ATF Form
3 6A for each incoming shipment, in order for the shipment to be released by Customs and Border
4 Patrol ("CBP").

5 32. The Form 6A, with the approved permit (approved Form 6), must be presented to
6 CBP officials handling the importation to effect release of the goods. CBP will then ensure that
7 the items to be imported match those described on the original Form 6 application prior to
8 release, representing a final conclusion of the agency's review for that particular item.

9 33. In the event the items to be imported do not match the original descriptions on the
10 Form 6, ATF Special Agents ("SA") and Firearm Enforcement Officers ("FEO") are contacted to
11 investigate the matter further. The SA or FEO will investigate and report back to FEIB for
12 purposes of further adjudicating the Forms 6 and 6A.

13 34. CBP also conducts randomized inspections of declared imports of firearms,
14 explosives, ammunition, and defense articles. If CBP's inspections raise questions, then ATF is
15 contacted and a similar process occurs to when CBP determines the imported items not to match
16 those described in the Forms 6 and 6A.

17 35. Investigation and testing of the firearms, explosives, ammunition and defense
18 articles may be required, by ATF's Firearms and Ammunition Technology Division (formerly
19 Firearms Technology Branch), Foreign Technology Branch, as well as consultations with other
20 experts such as the Federal Bureau of Investigation ("FBI"). The SA, FEO, examiner, and
21 myself as Director of FEIB, along with other relevant colleagues, will work together to
22 investigate the matter and gather all relevant information.

23 36. Ultimately I, as Chief of FEIB, will make a determination as to whether to revoke
24 the previously approved import permit. In making these decisions, I weigh relevant information
25

1 information gathered during the investigation, interpret and apply relevant laws and regulations,
2 and weigh the policy considerations behind those laws and regulations .

3 37. For instance, in the case of armor piercing ammunition, I or any other relevant
4 decision maker would consider the factual circumstances, interpret and apply the relevant
5 statutes or regulations, and would consider the policies behind the GCA prohibition, including
6 preventing terrorism, protecting police officers and other personnel, and protecting the public
7 from crime.

8 38. The revocation of the import permit is at the sole discretion of the relevant ATF
9 personnel, and there is no specific policy or practice for reviewing Forms 6, 6A, or any other
10 information for purposes of making this decision.

11 39. In this particular case, PW Arms submitted three different Form 6 applications to
12 import what it described as various calibers of "FMJ Ball" ammunition from "Russian State
13 Factories (Former USSR) Russia. *See Exhibit C.*

14 40. These permits were reviewed by examiners in my office who, based upon the
15 representations made by PW Arms, used their discretion to decline to seek additional information
16 from PW Arms before granting the permits. Specifically, because PW Arms did not circle the
17 term "AP" (armor piercing) on the face of the Form 6, or otherwise indicate that the ammunition
18 was metal core in its Form 6 information, the examiners declined to inquire whether there was a
19 handgun that could chamber the round to be imported (which, if it were metal core, would make
20 the ammunition armor-piercing and therefore illegal).

21 41. Regardless the three Form 6 permits that PW Arms was granted were stamped
22 with the notice that the permits did not allow for the importation of armor piercing ammunition,
23 specifically metal core ammunition that could be used in a handgun.

42. When one of PW Arms' shipments arrived in Chesapeake, Virginia, CBP stopped and performed an inspection of the shipment. CBP suspected that the ammunition was armor piercing and contacted an ATF SA to further investigate.


43. ATF SAs and FEOs investigated the ammunition and took possession of a small portion of the ammunition in order to conduct metallurgy testing. The sample was sent to the Firearms Technology Branch, who tested the ammunition and found that it contained a steel core.

44. We then investigated to determine whether the ammunition, at 5.45x39 gauge, could be used in any handgun commercially available within the United States, which would then qualify the ammunition as armor piercing and therefore illegal. Several handguns were found to be commercially available and able to chamber the ammunition sought to be imported.

45. Subsequently, I met with several of my colleagues to discuss this issue. We reviewed the facts and evidence, including the Forms 6 and 6A, the findings of the SAs and the FEOs, and we also reviewed the relevant statutes and regulations. We also weighed the policies at issue in that legislation against the facts at hand. Ultimately I decided to revoke PWA Arm's importation permits for the requested ammunition. This action was done at my discretion in my position as Chief of FEIB, and based upon all relevant information and policy considerations.

I declare under penalty of perjury, that the foregoing is true and correct.

Signed this 19 day of February, 2016, in Martinsburg, West Virginia.


William E. Majors, Chief
Firearms & Explosives Imports Branch
Bureau of Alcohol, Tobacco & Firearms

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the plaintiff(s).

McKAY Chadwell, PLLC
Robert G. Chadwell
Patrick J. Preston
Thomas M. Brennan
600 University Street, Suite 1601
Seattle, WA 98101-4124
Email: rgcl@mckay-chadwell.com
pjp@mckay-chadwell.com
tmb@mckay-chadwell.com

I hereby certify that I have served the foregoing document to the following non-CM/ECF participant(s)/CM/ECF participant(s), via USPS mail, postage pre-paid.

-0-

DATED this 19th day of February, 2016

/s/ Tara Faulds
TARA FAULDS, Legal Assistant
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: 206-553-7970
Fax: 206-553-4073
Email: tara.faulds@usdoj.gov

Exhibit A

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0005 (07/31/2013)

Application and Permit for Importation of Firearms, Ammunition and Implements of War

Not for use by Members of the United States Armed Forces.

For ATF Use Only

Permit No. (Valid for 12 months from the date appearing in Item 19 below.) NPR No.

For Applicant's Optional Use

Internal Control/Reference #

E-mail Address (Optional)

Section I - Application (Submit in triplicate) - For Applicant Use

1. Federal Firearms License (If Any)		2. Telephone No. (Including Extension No.)	3. Country of Exportation
License No. (x-xx-xxx-xx-xxxxx)	Expiration Date		
4. Name and Address of Customs Broker (Including Zip Code)		5. Applicant's Name and Address (Including Zip Code)	
Check here if permit is to be returned to Customs Broker. <input type="checkbox"/>		Check here if permit is to be returned to applicant. <input type="checkbox"/>	
6. Name and Address of Foreign Seller, if any		7. Name and Address of Foreign Shipper	

8. Description of Firearms and Ammunition (For firearms, enter (SG)-Shotgun; (RI)-Rifle; (PI)-Pistol; (RE)-Revolver; (DD)-Destructive Device; (MG)-Machinegun)

	Name and Address of Manufacturer	Type (Frame, Receiver, SG, RI, PI, RE, DD, MG)	Caliber Gauge or Size	Quantity (Each type)	Unit Cost (U.S. Currency)	U.S. Munitions Import List Category	Model	Length of Barrel (Inches)	Overall Length (Inches)	Serial No.	New (N) or Used (U)
	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
Firearms <input type="checkbox"/> See Attachment											
Implements of War <input type="checkbox"/> See Attachment							Description				
Ammunition <input type="checkbox"/> See Attachment		(Ball Wad-cutter, Shot, AP, Tracer) (Rounds)					9. Certification of Origin. The items sought for importation in block 8: a. Do not contain parts or components produced by or for the U.S. military and do not contain parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> b. Contain parts or components produced by or for the U.S. military or parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> c. Contain parts or components produced by or for the U.S. military or components manufactured with U.S. technical data or assistance that were sold abroad pursuant to a Direct Commercial Sale licensed by the Department of State. <input type="checkbox"/>				

10. Specific Purpose of Importation, Including Final Recipient, If Known (Use additional sheets, if necessary)

11. Are You Registered as an Importer Pursuant to The Arms Export Control Act of 1976

Yes ☐ No ☐

12. If "Yes," Give Importer's Registration No. and Expiration Date (A-xx-xxx-xxxx)

Under the penalties provided by law, I declare that I have examined this application, including the documents submitted in support of it, and, to the best of my knowledge and belief, it is true, correct, and complete.

13. Name of Applicant (Printed)	14. Signature of Applicant	15. Title	16. Date
---------------------------------	----------------------------	-----------	----------

Section II - For ATF Use Only (Please make no entries in this section)

17. The Application Has Been Examined and the Importation of the Firearms, Ammunition, and Implements of War Described Herein is:			
Approved <input type="checkbox"/>	Disapproved for the Reason Indicated <input type="checkbox"/>	Returned Without Action for Additional Information <input type="checkbox"/>	
Partially Approved for the Reason Indicated Here or on Attached Letter <input type="checkbox"/>	Here or on Attached Letter <input type="checkbox"/>	No Permits Required <input type="checkbox"/>	
18. Signature of the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives			19. Date

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0005 (07/31/2013)

Application and Permit for Importation of Firearms, Ammunition and Implements of War

Not for use by Members of the United States Armed Forces.

For ATF Use Only

Permit No. (Valid for 12 months from the date appearing in Item 19 below.) NPR No.

For Applicant's Optional Use

Internal Control/Reference #

E-mail Address (Optional)

Section I - Application (Submit in triplicate) - For Applicant Use

1. Federal Firearms License (If Any)		2. Telephone No. (Including Extension No.)	3. Country of Exportation
License No. (x-xx-xxx-xxxx)	Expiration Date		
4. Name and Address of Customs Broker (Including Zip Code)		5. Applicant's Name and Address (Including Zip Code)	
Check here if permit is to be returned to Customs Broker. <input type="checkbox"/>		Check here if permit is to be returned to applicant. <input type="checkbox"/>	
6. Name and Address of Foreign Seller, if any		7. Name and Address of Foreign Shipper	

8. Description of Firearms and Ammunition (For firearms, enter (SG)-Shotgun; (RI)-Rifle; (PI)-Pistol; (RE)-Revolver; (DD)-Destructive Device; (MG)-Machinegun)

	Name and Address of Manufacturer	Type (Frame, Receiver, SG, RI, PI, RE, DD, MG)	Caliber Gauge or Size	Quantity (Each type)	Unit Cost (U.S. Currency)	U.S. Munitions Import List Category	Model	Length of Barrel (Inches)	Overall Length (Inches)	Serial No.	New (N) or Used (U)
	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
Firearms	<input type="checkbox"/> See Attachment										
Implements of War	<input type="checkbox"/> See Attachment						Description 9. Certification of Origin. The items sought for importation in block 8: a. Do not contain parts or components produced by or for the U.S. military and do not contain parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> b. Contain parts or components produced by or for the U.S. military or parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> c. Contain parts or components produced by or for the U.S. military or components manufactured with U.S. technical data or assistance that were sold abroad pursuant to a Direct Commercial Sale licensed by the Department of State. <input type="checkbox"/>				
Ammunition	<input type="checkbox"/> See Attachment	(Ball Wad-cutter, Shot, AP, Tracer) (Rounds)									

10. Specific Purpose of Importation, Including Final Recipient, If Known (Use additional sheets, if necessary)

11. Are You Registered as an Importer Pursuant to The Arms Export Control Act of 1976 Yes ☐ No ☐

12. If "Yes," Give Importer's Registration No. and Expiration Date (A-xx-xxx-xxxx)

Under the penalties provided by law, I declare that I have examined this application, including the documents submitted in support of it, and, to the best of my knowledge and belief, it is true, correct, and complete.

13. Name of Applicant (Printed)	14. Signature of Applicant	15. Title	16. Date
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Section II - For ATF Use Only (Please make no entries in this section)

17. The Application Has Been Examined and the Importation of the Firearms, Ammunition, and Implements of War Described Herein is:			
Approved <input type="checkbox"/>	Disapproved for the Reason Indicated <input type="checkbox"/>	Returned Without Action for Additional Information <input type="checkbox"/>	
Partially Approved for the Reason Indicated Here or on Attached Letter <input type="checkbox"/>	Withdrawn By Applicant Without Action <input type="checkbox"/>	No Permits Required <input type="checkbox"/>	
18. Signature of the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives			19. Date

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0005 (07/31/2013)

Application and Permit for Importation of Firearms, Ammunition and Implements of War

Not for use by Members of the United States Armed Forces.

For ATF Use Only

Permit No. (Valid for 12 months from the date appearing in Item 19 below.) NPR No.

For Applicant's Optional Use

Internal Control/Reference #

E-mail Address (Optional)

Section I - Application (Submit in triplicate) - For Applicant Use

1. Federal Firearms License (If Any)		2. Telephone No. (Including Extension No.)	3. Country of Exportation
License No. (x-xx-xxx-xxxx)	Expiration Date		
4. Name and Address of Customs Broker (Including Zip Code)		5. Applicant's Name and Address (Including Zip Code)	
Check here if permit is to be returned to Customs Broker. <input type="checkbox"/>		Check here if permit is to be returned to applicant. <input type="checkbox"/>	
6. Name and Address of Foreign Seller, if any		7. Name and Address of Foreign Shipper	

8. Description of Firearms and Ammunition (For firearms, enter (SG)-Shotgun; (RI)-Rifle; (PI)-Pistol; (RE)-Revolver; (DD)-Destructive Device; (MG)-Machinegun)

	Name and Address of Manufacturer	Type (Frame, Receiver, SG, RI, PI, RE, DD, MG)	Caliber Gauge or Size	Quantity (Each type)	Unit Cost (U.S. Currency)	U.S. Munitions Import List Category	Model	Length of Barrel (Inches)	Overall Length (Inches)	Serial No.	New (N) or Used (U)
	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
Firearms	<input type="checkbox"/> See Attachment										
Implements of War	<input type="checkbox"/> See Attachment						Description				
Ammunition	<input type="checkbox"/> See Attachment	(Ball Wad-cutter, Shot, AP, Tracer) (Rounds)					9. Certification of Origin. The items sought for importation in block 8: a. Do not contain parts or components produced by or for the U.S. military and do not contain parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> b. Contain parts or components produced by or for the U.S. military or parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> c. Contain parts or components produced by or for the U.S. military or components manufactured with U.S. technical data or assistance that were sold abroad pursuant to a Direct Commercial Sale licensed by the Department of State. <input type="checkbox"/>				

10. Specific Purpose of Importation, Including Final Recipient, If Known (Use additional sheets, if necessary)

11. Are You Registered as an Importer Pursuant to The Arms Export Control Act of 1976	Yes <input type="checkbox"/> No <input type="checkbox"/>	12. If "Yes," Give Importer's Registration No. and Expiration Date (A-xx-xxx-xxxx)
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Under the penalties provided by law, I declare that I have examined this application, including the documents submitted in support of it, and, to the best of my knowledge and belief, it is true, correct, and complete

13. Name of Applicant (Printed)	14. Signature of Applicant	15. Title	16. Date
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Section II - For ATF Use Only (Please make no entries in this section)

17. The Application Has Been Examined and the Importation of the Firearms, Ammunition, and Implements of War Described Herein is:			
Approved <input type="checkbox"/>	Disapproved for the Reason Indicated <input type="checkbox"/>	Returned Without Action for Additional Information <input type="checkbox"/>	
Partially Approved for the Reason Indicated Here or on Attached Letter <input type="checkbox"/>	Here or on Attached Letter <input type="checkbox"/>	No Permits Required <input type="checkbox"/>	
18. Signature of the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives			19. Date

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

Implements of War (Continued)

[illegible]

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

ATF E-Form 6-Part I (5330.3A)
Revised August 2011

Instruction Sheet for ATF Form 6 Part I (5330.3A)*(Submit in triplicate) (Detach this instruction sheet before submitting your application)***Paperwork Reduction Act Notice**

This request is in accordance with the Paperwork Reduction Act of 1995. The purpose of this information collection is to allow ATF to determine if the article(s) described on the application qualifies for importation by the importer, and to serve as the authorization for the importer. This information is mandatory (18 U.S.C. 925(d), 26 U.S.C. 5844, 22 U.S.C. 2778).

The estimated average burden associated with this collection of information is 30 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Confidentiality is not assured.

General Information

1. An approved ATF Form 6 - Part I (5330.3A) is required to import firearms, ammunition, and implements of war into the United States or any possession thereof, except for certain exempt importations prescribed in 27 CFR Parts 447, 478 and 479. A military member of the U.S. Armed Forces who is on active duty outside the U.S., or who has been on active duty outside the U.S. during the 60-day period immediately preceding the intended importation, should complete ATF Form 6 - Part II (5330.3B) to import sporting type firearms or ammunition for his personal use.
2. Any person engaged in the business of importing firearms or ammunition for resale must be licensed as an importer under the Gun Control Act of 1968 and, if he is importing firearms, ammunition, firearms parts or implements of war (*other than sporting shotguns, shotgun shells, or shotgun parts*) he must also be registered as an importer under the Arms Export Control Act of 1976. No permit to import such articles for resale will be issued until the importer is properly licensed and registered.
3. A Federal firearms licensee other than an importer, may make an occasional importation of sporting firearms or ammunition (*excluding surplus military*) for himself or an unlicensed person in the licensee's State, provided that the firearms and ammunition are intended for personal use of the person for whom imported and not for resale. ATF Form 6 - Part I (5330.3A) is used to obtain approval for such importation.
4. A permit is not required for a firearm or ammunition brought into the United States or any possession thereof by any person who can establish to the satisfaction of U.S. Customs and Border Protection (CBP) that such firearm or ammunition was previously taken out of the United States or any possession thereof by such person.
5. A permit is not required for the return of a repaired firearm, or replacement firearm of the same kind and type, to the person in the United States who sent the defective firearm out of the United States for repair.
6. If you are a nonimmigrant alien do not complete this form. A nonimmigrant alien entering the U.S. temporarily needs to submit an ATF Form 6NIA (5330.3D) (Application and Permit for Temporary Importation of Firearms and Ammunition by Nonimmigrant Aliens) to temporarily import his personally owned firearms.
7. An unlicensed person may obtain a permit to import sporting type ammunition (excluding tracer or incendiary) and firearm parts (other than frames, receivers or actions) without engaging the services of a Federal firearms licensee, provided that the importation is for his personal use and not for resale.
8. A nonresident U.S. citizen returning to the United States or a nonresident alien immigrating to the United States, from a permanent residence outside of the United States may complete and forward the enclosed ATF Form 6 Part I permit application without having to utilize the services of a federally licensed firearms dealer. The nonresident should include a statement, either on the application form or on an attached sheet, that the firearms are being imported for his personal use and not for resale and that he is a nonresident U.S. citizen returning to the United States, or is a nonresident alien

immigrating to the United States. The firearms must accompany the nonresident U.S. citizen on entry into the United States, since once he is in the United States, and has acquired residence in a State, he may not directly import a firearm. He must engage the services of a federally licensed firearms dealer in his State of residence to import the sporting firearms (*excluding NFA and surplus military*) for him. A nonresident alien must bring in their firearms within 90 days of arrival in the United States, which is when they obtain State residency. If the firearms are to be imported after 90 days of arrival, he must engage the services of a federally licensed firearms dealer in his State of residence to import the sporting firearms (*excluding NFA and surplus military*) for him.

9. Under Arms Export Control Act of 1976 regulations in 27 CFR 447.41(c), a permit is not required for the importation of:

- a. U.S. Munitions Import List articles from Canada not subject to 27 CFR Part 478 and 479, except articles enumerated in Categories I, II, III, IV, VI(e), VIII(a), XVI, and XX; and nuclear weapons, strategic delivery systems, and all specifically designed components, parts, accessories, attachments, and associated equipment thereof.
- b. Minor components and parts of Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 wholesale in any single transaction.

Preparation

10. The applicant shall prepare this form in triplicate. Required signatures must be in ink on all copies. Other entries must be in ink or be typewritten.
11. The application should be submitted approximately 60 days prior to the intended importation. All copies shall be submitted to:

Director
Bureau of Alcohol, Tobacco, Firearms, and Explosives
244 Needy Road
Martinsburg, WV 25405
Attention: Firearms and Explosives Imports Branch

12. Any questions concerning the application should be referred to the Imports Branch at the above address or telephone (304) 616-4550.
13. If a licensee is applying to import an article for subsequent transfer to a known final recipient (*e.g., an individual, commercial entity, or government agency*), the licensee must complete items 1 through 16, and identify the final recipient by name and address in item 10.
14. Item 9, Certification of Origin: The purpose of this certification is to determine whether items sought for importation require retransfer authorization from the Department of State. Applicants should check block 9a if the articles sought for importation were produced for the civilian market and were not associated with the U.S. military. Applicants should check block 9b if the articles sought for importation contain parts or components produced by or for the U.S. military or manufactured with U.S. military technical data or assistance, and the articles were provided by the U.S. government to a foreign government through a grant or foreign military sales program. Applicants should check block 9c if the articles sought for importation contain parts or components produced by or for the U.S. military or manufactured with U.S. military technical data or assistance, and the articles were sold abroad pursuant to an export license issued by the Department of State authorizing a Direct Commercial Sale (DCS). **NOTE:** If block 9b is checked, a written retransfer authorization from the Department of State must be attached to the application or the applications will be denied. **NOTE:** If block 9c is checked, either a copy of the export license authorizing the DCS or a written retransfer authorization from the Department of State must be attached to the application or the application will be denied.

Approval

15. The Director will approve the application or advise the applicant of the reason for the disapproval. In some cases it may be necessary to request additional

(INSTRUCTIONS CONTINUED ON REVERSE)

information or to have the firearm or ammunition sent to ATF for examination to determine the import status.

16. The permit is valid for 12 months from the date of approval. The approved application will serve as the permit to import the article(s) described on the form.
17. After approval, the Director will retain one copy and forward the original to the applicant or his designated agent, along with copies of ATF Form 6A, Release and Receipt of Imported Firearms, Ammunition and Implements of War.

Release From Customs

18. No amendments or alterations may be made to an approved permit, except by the Director.
19. An approved ATF Form 6 - Part I (5330.3A) which is unused, expired suspended or revoked shall be returned immediately to the Director, Bureau of ATF, 244 Needy Road Martinsburg, WV 25405
Attention: Firearms and Explosives Imports Branch.
20. The ATF Form 6A, in duplicate with Section I completed, the approved permit, and any other necessary documents, must be presented to CBP officials handling the importation to effect release of the articles. For the commercial import (*i.e., import for resale*) of firearms, firearms parts and components, and ammunition, the importer also must present to CBP, in order to effect release of the articles, either a corresponding export license issued by the exporting country or a statement, under penalty of perjury, that the exporting country does not issue export licenses.
21. The CBP officer, after determining that the importation is in order, will execute the certificate of release on ATF Form 6A.
22. The CBP officer will forward the ATF Form 6A to the address shown on the form and return the permit and any additional copies of ATF Form 6A, to the applicant.

Prohibited Persons Under U.S. Law

23. The importer of a firearm should be familiar with provisions of law governing who may lawfully possess a firearm in the United States. Generally, 18 U.S.C. 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who has been convicted of a crime punishable by imprisonment for a term exceeding one year; by one who is a fugitive from justice; by one who is an unlawful user of, or addicted to,

marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance; by one who has been adjudicated mentally defective or has been committed to a mental institution; by one who has been discharged from the Armed Forces under dishonorable conditions; by one who has renounced his or her U.S. citizenship; by one who is an alien illegally in the United States or is a nonimmigrant alien; by one who is subject to certain restraining orders; or by one who has been convicted of a misdemeanor crime of domestic violence. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a crime punishable by imprisonment for a term exceeding one year.

Forms

24. Federal firearms licensees must retain this form as part of their ATF required records permanently as prescribed by 27 CFR 478.129(d). Importers registered under the Arms Export Control Act who do not also hold a Federal firearms license must retain this form as part of their ATF required records for at least the 6-year period prescribed by 27 CFR 447.34(b).

Additional Forms are available from:

ATF Distribution Center
1519 Cabin Branch Drive
Landover, MD 20785-3816

Or by accessing the ATF website at <http://www.atf.gov>

Privacy Act Information

The following information is provided pursuant to Section 3 of the Privacy Act of 1974 (5 U.S.C. § 552(a)(e)(3)).

1. **Authority.** Disclosure of the information requested on ATF Form 6 Part I (5330.3A) is mandatory pursuant to 18 U.S.C. 925 and Section 38 of the Arms Export Control Act of 1976 (22 U.S.C. 2778, 26 U.S.C. 5844) to obtain a permit to import firearms, ammunition, and implements of war.
2. **Purpose.** To determine if the article(s) qualifies for importation by the applicant.
3. **Routine Uses.** The information will be used by ATF to make determinations set forth in paragraph 2. In addition, information may be disclosed to other Federal, State, foreign and local law enforcement and regulatory agency personnel to verify information on the application and to aid in the performance of their duties with respect to the enforcement and regulation of firearms and/or ammunition where such disclosure is not prohibited by law. The information may further be disclosed to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, the information may be disclosed to members of the public in order to verify the information on the application when such disclosure is not prohibited by law.
4. **Effects.** Failure to supply complete information will delay processing and may cause denial of the application.

Exhibit B



U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

F

IREARMS

E

XPLOSIVES

I

MPORTS

B

RANCH

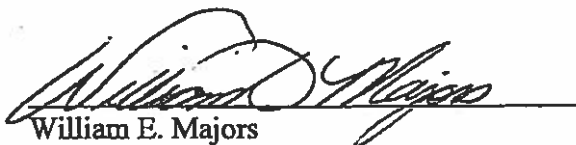
Standard Operating Procedures
General Branch Operations
September 2011


FIREARMS AND EXPLOSIVES IMPORTS BRANCH

STANDARD OPERATING PROCEDURES (SOP)

General Branch Operations

Approved:


William E. Majors
Chief, Firearms and Explosives Imports Branch


Date

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CHAPTER 1 INTRODUCTION

1.1 Overview

The Firearms and Explosives Imports Branch (FEIB) is responsible for fulfilling ATF statutory responsibilities relative to import provisions of the Gun Control Act of 1968, the National Firearms Act, and the Arms Export Control Act of 1976, by processing all applications to import firearms, ammunition and implements of war into the United States; processing all applications to register under the Arms Export Control Act as an importer of U.S. Munitions Import List articles, including the collection and deposit of registration fees; and issuing International Import Certificates to effect the release of U.S. Munitions Import List articles intended to be imported into the United States.

1.2 Purpose

This Standard Operating Procedure (SOP) establishes detailed procedures on processing and handling applications, forms, and correspondence within FEIB.

1.3 Benefit

This SOP will promote quality service and consistent implementation of the internal procedures pertaining processing and handling applications, forms, and correspondence within FEIB.

CHAPTER 2 CONTRACTOR ASSISTANCE

In order to effectively and efficiently process incoming applications, forms, and general correspondence, FEIB relies upon contract support services. At the present time, Ruchman & Associates provides Customer Service Representatives (CSRs) and Drayton, Drayton and Lamar (DDL) provides data entry services.

CHAPTER 3 INCOMING CORRESPONDENCE

Incoming correspondence is received, date stamped, logged into the mail log spreadsheet, and distributed by the CSRs. If the correspondence is addressed to one of the following individuals, the correspondence is distributed directly to that individual after it is logged into the system. Should the correspondence need to be entered into the system, the individual will alert the CSR if date stamp and system log in are required. The following individuals will have any mail addressed specifically to them delivered without being opened and logged into the system:

- Branch Chief
- Program Manager/IOI

3.1 Date Stamp

The CSR utilizes a stamp to place the received date on incoming documents. Mail received on a Friday afternoon after daily distribution or on a Saturday is dated with the following business day's date.

3.2 Mail Log

The CSR utilizes an excel spreadsheet to track incoming applications, forms, and correspondence. The spreadsheet includes the following information:

- Name of Company/Submitter/Applicant
- Manner in which it was received (Federal Express, USPS, etc.)
- Tracking number (if supplied via Federal Express or UPS)
- Date received
- Initials of CSR who logged in the receipt
- Comment (what the item is: e.g. application, F6NIA, 6A, etc.)

3.3 Distribution

Once the application, form, or correspondence is logged into the excel spreadsheet, it is distributed to the appropriate designated individual or location.

- | | | |
|----|---------------------|--|
| 1. | Form 6NIAs | Data Entry Operator |
| 2. | Forms 6 Part I & II | Deputy Project Manager, DDL |
| 3. | Form 6As | Filed in Dedicated Mailbox Location |
| 4. | Correspondence | Distributed as addressed or provided to Branch Chief for assignment. |

CHAPTER 4 FORM 6NIA**4.1 Receipt of the Forms**

Form 6NIAs are received via regular United States mail, facsimile, and/or electronic mail.

4.1.1 Regular United States Mail

If the forms are received through regular United States mail, the forms will be date stamped, logged in, and distributed by the CSRs as indicated in "Chapter 3 Incoming Correspondence" of this SOP.

4.1.2 Facsimile

If the forms arrive to the office via facsimile, the facsimile is retrieved from the fax machine and provided to the data entry operator for date stamp, entry into a spreadsheet, and form bundling.

4.1.3 Electronic Mail

If the forms are electronically mailed to an employee, the electronic mail message and form will be printed out and provided to the data entry operator for date stamping, spreadsheet entry, and form bundling.

4.2 Assigning Permit Numbers and Form Bundling

Once the forms are processed by the CSRs, the forms are distributed to the data entry operator for assignment of a permit number and form bundling.

4.2.1 Permit Number

ATF F 6NIAs are stamped with an NIA unique permit number , which includes calendar year and a 5 digit sequential number assigned in ascending order as received. For example, the permit number for the first permit received in calendar year 2011 is 11-00001.

4.2.2 Form Bundling

Once a permit number is assigned to the ATF F 6NIAs, the data entry operator places the forms in stacks of 50. The stacks are then bundled together utilizing a rubber band and distributed.

4.3 Assignment of the Forms for Processing

Once the forms have been processed by the CSR and the data entry operator, the bundles of forms are then provided to the ATF legal instruments examiner for processing. FEIB has assigned one dedicated legal instruments examiner to process all Form 6NIAs.

4.4 Providing a Copy of the Processed Form to the Applicant

Once the legal instruments examiner has processed the form, the form and any attachments to the form are provided to the data entry operator. The data entry operator will look at block 4 of the form to see if the applicant has provided a facsimile number. If a facsimile number has been provided, the data entry operator will fax the processed application to the applicant. If no facsimile number is provided, the data entry operator will mail a copy of the application to

the applicant. The final disposition is noted on the NIA excel spreadsheet on the shared drive.

For information on processing and handling an ATF F 6NIAs by the legal instruments examiner, please refer to the SOP entitled "PROCESSING AND HANDLING ATF F 6NIA."

4.5 Filing

Once the application has been provided to the applicant via facsimile or via regular U.S. Mail, the applications are placed in a file divided by month and year. The file is then placed in an accordion file folder which is relocated from the possession of the data entry clerk to the filing cabinets in FEIB. Once the year has concluded, the files will be relocated from the filing cabinets to the rolling file system.

CHAPTER 5 ATF FORM 6 PART I & PART II

Once the incoming Forms 6 Part I & Part II have been processed by the CSRs, the forms are distributed to the Deputy Project Manager and a quality review of the forms is conducted. The Deputy Project Manager will review all the forms prior to assigning the forms to a data entry clerk. The data entry clerk will then input the information on the form into the FEIS system. Should the data entry clerk encounter any issues with the forms, the forms are then taken to the Specialist for further review and research.

5.1 QUALITY REVIEW BY DEPUTY PROJECT MANAGER

Once the application Forms 6 Part I & Part II have been sorted and provided to the Deputy Project Manager by the CSRs, the Deputy Project Manager will now perform quality review of the forms. During the quality review process, the entire form is reviewed for completeness and accuracy. Specifically, the Deputy Project Manager checks the following information:

- Manufacturers
- Models
- Calibers
- Country of Export
- Purpose of Importation
- Applicant type
- Received dates
- Assigned Dates
- Reassignments
- U.S. Munitions Codes
- Valid FFL Numbers

- Valid AECA Numbers

The above listing is not an all inclusive list for quality review. Any information omitted from the application, aside from FFL number and AECA number, would prompt the application to be added to a problem sheet and provided to the ATF Specialist for further action.

5.1.1 Problem Sheet

During the quality review, if problems are detected by the Deputy Project Manager, the application(s) are provided to the ATF Specialist assigned to process and handle problem applications. If the applications are discovered to have problems, the applications are logged into a “problem sheet” which is maintained on the shared drive. The following information is entered on the problem sheet.

- Applicant’s Name
- Reason Pending
- Location of the Application (who has the original)
- Date

The Specialist will review the problem sheet submitted with the application. Each data entry operator will include the folder, the problem sheet, and the contact information for the data entry operator on the front of the folder. The Specialist will review the problem sheet and research the issues listed for resolution. The Specialist may need to add new model designations to the FEIS database, the Specialist may need to clarify the information submitted by the applicant and/or the Specialist may return the form without action.

5.1.2 Omitted Information

The data entry operator will supply a note on the application for the Specialist that will indicate the omitted or incorrectly stated information on the application or form for follow up. The Specialist will send a form letter indicating “return without action” to the applicant identifying the exact information which has been omitted or incorrectly stated on the form. In addition to the form letter indicating the omitted information, the Specialist will include the original application for the applicant to update and return for processing. Any application that is returned without action is included on the tracking sheet on the shared drive by the CSRs.

5.1.3 Correction by the Applicant

Once the applicant receives and complies with the information indicated on the form letter by the Specialist, the applicant can resubmit the entire application for processing with the omitted or incorrectly stated information as indicated on the return without action notice completed or corrected. However, the Specialist will include a blank form.

5.2 Permit Number

After the quality review has been completed by the Deputy Project Manager and all problem applications have been removed by the Deputy Project Manager, the applications receive a permit number and are assigned to an examiner in FEIS for processing.

The permit number is assigned by the calendar year followed by a sequential number beginning with 00001. For example 11-00001 would be the first permit number issued for the calendar year 2011.

5.3 Examiner Assignment

FEIB utilizes an oracle database called Firearms and Explosives Imports System (FEIS) to assist in the assignment of Forms 6 Part I & Part II.

The FEIS serves as a repository of data for all Forms 6 Part I & Part II that are submitted to the office via hard copy or electronic filing. The FEIS system is used to track approvals and denials for the Forms 6 Part I & Part II.

Not only does the FEIS system assist with the electronic submission of forms, the FEIS assists with assigning examiners to process the forms. In order for the FEIS to assign an examiner, the names of all the examiners have been added to the FEIS system by the system administrator.

5.3.1 FEIS Generated Examiner Assignment

5.3.1.1 Electronically filed Forms 6 Part I & Part II

Some importers have the capability to electronically file Forms 6 Part I & Part II directly into the FEIS system. In order to be able to directly submit into the FEIS, the importer has worked with the FEIS system Administrator to obtain a password and user identification. If the importer makes a direct submission into the FEIS system, the system

will automatically generate the name of an examiner to be assigned to the form for processing. When the examiner logs into the FEIS system, the main menu screen displays the forms that have been submitted electronically for the examiner to review and process.

5.3.1.2 Hard copy filed Forms 6 Part I & Part II

If the importer submits a hard copy of the forms, the forms are date stamped, logged into the mail log, and distributed to the Deputy Program Manager. The Deputy Program Manager conducts a quality control on the forms. If no problems are detected on the forms, the Deputy Program Manager assigns the form to the data entry clerk for entry into the FEIS system. The system automatically generates the name of an examiner to be assigned to the forms for processing.

5.3.2 Dedicated Employee Assignment

Due to high volume or due to the complexity of items submitted for importation, some importers have been assigned to one specific examiner to handle the processing of all Forms 6 Part I that are submitted by that importer. If the importer does not have an assigned employee, the FEIS will automatically assign an examiner to process the form.

5.3.3 Reassignments of Applications

Should an employee be out of the office for an extended period of time, the applications assigned to the employee can be reassigned to another employee by the Section Supervisor or the FEIS Administrator. The Section Supervisor or the FEIS Administrator can perform the reassignment of work without the approval of the Branch Chief.

5.4 Mail Log Update

Once the permit number has been placed on the application and the examiner has been assigned, the information is inserted into the spreadsheet by the data entry operators and then returned to the CSRs for the creation of folders. Upon insertion of the permit number and the examiner assignment, the CSR will create a folder for each examiner.

5.5 Application Acknowledgement Receipts

Once the incoming applications/forms are returned from the Deputy Project Manager to the CSR, the CSR will print an application acknowledgement summary sheet listing all the applications/forms that have been assigned to the examiner for the day. Once the folders are created and the summary sheets are printed, the CSR will place the folders in the DDL Deputy Project Manager's mailbox so that the Deputy Project Manager may conduct a quality control review on the folders. Once the quality control review has been completed, the Deputy Project Manager will then distribute the folders to the examiners mailboxes. The following information is captured on the application acknowledgment sheets:

- Examiner Name
- Date Assigned
- Company Name
- Permit Number

CHAPTER 6 FORM 6As

The Form 6A is notification from the importer that they have imported an item. The form includes the number of items imported. The form 6A is submitted by the importer after they have been approved to import utilizing the Form 6 Part I.

When the Form 6As are received, they are date stamped, logged into the mail log, and placed into the designated mailboxes by the CSR. Not all importers have a dedicated mailbox. Larger importers or those importers who submit large volumes of paperwork for importation have been designated a mailbox for their form 6A submissions. For those importers who do not have a dedicated mailbox, general mailboxes utilizing an alphabetical listing are located in the same area as the dedicated mailboxes for the Forms 6A.

6.1 Processing the Forms

Upon completion of available Form 6 Part I work, the data entry operators will take 50 Form 6As at one time for processing. The forms are reviewed for all the required information. Once the forms have been reviewed and entered into FEIS by the data entry operators, the data entry operators place a red check mark in the upper right-hand corner of the form. This check mark indicates that the form has been entered and reviewed by the data entry operator and the form contains all relevant information. The forms are then placed clear plastic bins for filing. The documents are maintained for a period of 5 years.

6.2 Problem Forms 6A

If a problem is discovered on the Form 6A by the data entry operator, the data entry operator will place a note on the form identifying any and all issues with the form. The forms are then placed in a wire tray on top of the filing bin across from the examiner mailbox assignment area. The problem Forms 6A are then moved from the wire tray into the filing cabinets filed by importer name by the Specialists and the Program Manager/IOI. As time permits, the filed problem 6As will be researched by the Program Manager/IOI and any available Specialist. When the problem 6As are being researched by the Program Manager/IOI or Specialists, the following should be checked prior to contacting the importer

- Review the form to make certain the form has a problem
- Check FEIS and compare the 6A to the data from its corresponding Form 6 Part I.
- Pull the permit (Form 6 Part I) for comparison

Compare the problem Form 6A to the corresponding Form 6 and to the FEIS entry to verify the problem identified by data entry. If the Form 6A can be data entered, please attach a note to the Form 6A and place it in the appropriate slot in the Form 6A data entry filing system and close out the entry on your tab of the FIES drive spreadsheet.

If the problem cannot be resolved and further research is necessary, the Program Manager/IOI or Specialist will then follow the steps listed in the "Problem Form 6A" SOP.

CHAPTER 7 GENERAL CORRESPONDENCE

If general correspondence is received by the CSR, the CSR will date stamp, record the correspondence in the mail log, and then review the correspondence to distribute to the appropriate individual. If the questions or service request in the correspondence falls within the parameters of the contractor's duties, the CSR will call the submitter on the telephone and provide them with a response. However, if the submitter's question falls outside the parameters of the contract, the CSR will distribute the correspondence to the Branch Chief for review and assignment.

An excel spreadsheet has been created on the shared drive to track general correspondence. The following information is contained on the spreadsheet:

- Date Received
- Letter Date
- Subject
- Name Of Submitted
- Assigned To
- Due Date

- **Date Response Mailed Out**

Any general correspondence assigned by the branch chief should be written for the branch chief's signature. Once the letter is drafted by the assigned employee the letter should be placed on letterhead with the appropriate yellow routing slip attached, and provided to the branch chief for review and approval. Once the letter is signed by the branch chief, the employee will date stamp the letter and prepare the letter for mailing. The yellow routing slip and the original submitted request will be filed in the brown filing cabinet located across from the dedicated employee mailbox assignments. The letters will be filed first by year and then alphabetically. The documents are maintained for a period of 5 years.

CHAPTER 8 QUERIES FOR INDUSTRY OPERATIONS INVESTIGATORS (IOIs)

When requests from IOIs are received by FEIB, the CSRs may be asked to query the system for relevant information regarding a particular company to assist in an inspection or inventory review. The CSRs are provided the search parameters by the FEIB Program Manager/IOI. Once they receive the request from the Program Manager/IOI, CSRs search the system and provide any results to the Data Entry Operator. The Data Entry Operator then retrieves the files and provides the files to the CSRs. The CSRs then locate the relevant information within the files, make copies, and provides the results to the Program Manager/IOI. The CSRs will not provide any internal correspondence or notes in the files. The information provided will be limited to applications, attachments, lists, and any other applicant-sourced documentation. The files are returned to the file bin. The Data Entry Operator will return the folders to their filing location.

CHAPTER 9 LAW ENFORCEMENT DEMONSTRATION LETTER INQUIRIES

A NFA firearm demonstration request letter from Federal, state, and local law enforcement and government agencies must be dated within 6 months of ATF receipt. Letters older than 6 months must be resubmitted with a freshly-dated request for the specific firearms desired for demonstration. Letters also must be signed by the chief law enforcement officer of the agency, or his authorized designee, and printed on agency letterhead.

Updated: September 27, 2011

Exhibit C

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0005 (07/31/2013)

Application and Permit for Importation of Firearms, Ammunition and Implements of War

Not for use by Members of the United States Armed Forces.

For ATF Use Only

For Applicant's Optional Use

Permit No. (Valid for 12 months from the date appearing in Item 18 below.) NPR No. **13-01216**

Internal Control/Reference #

E-mail Address (Optional)

Section I - Application (Submit in triplicate) - For Applicant Use

1. Federal Firearms License (If Any)		2. Telephone No. (Including Extension No.)	3. Country of Exportation
License No. (x-xx-xxx-xx-xxxx) 9-91-033-08-5G-38718	Expiration Date July 1, 2015	425-882-1161	GERMANY
4. Name and Address of Customs Broker (Including Zip Code) Kushnetz, Inc. 1187 Thoon Run Road Extension Suite 110 Moon Township, PA 15108 Check here if permit is to be returned to Customs Broker. <input type="checkbox"/>		5. Applicant's Name and Address (Including Zip Code) FW Arms, Inc. 8525 152nd Ave NE Redmond, WA 98052 Check here if permit is to be returned to applicant. <input checked="" type="checkbox"/>	
6. Name and Address of Foreign Seller, if any Sabine Schneider Waffenmunition Im Lofferkamp 2 31832 Springe Germany		7. Name and Address of Foreign Shipper SAME AS BLOCK # 6	

8. Description of Firearms and Ammunition (For firearms, enter (SG)-Shotgun; (RI)-Rifle; (PI)-Pistol; (RE)-Revolver; (DD)-Destructive Device; (MG)-Machinegun)

Name and Address of Manufacturer	Type (Frame, Receiver, SG, RI, PI, RE, DD, MG)	Caliber Gauge or Size	Quantity (Each type)	Unit Cost (U.S. Currency)	U.S. Munitions Import List Category	Model	Length of Barrel (Inches)	Overall Length (Inches)	Serial No.	New (N) or Used (U)
a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
Firearms										
<input type="checkbox"/> See Attachment										
Implements of War										
<input type="checkbox"/> See Attachment										
Ammunition										
Russian State Factories (Former USSR) Russia	(Ball) Wad-cutter, Shot, AP, Tracer (Rounds)	5.45x39mm FMJ Ball	50,000,000		3a					
		7.62x54R FMJ Ball	50,000,000		3a					
		7.62x39 R-T Ball	25,000,000		3a					
		7.5x55mm FMJ Ball	25,000,000		3a					
RUG AMMUNITION										
<input checked="" type="checkbox"/> See Attachment										

Please see reverse side for importation restrictions(s).

Description
AMMUNITION ONLY

9. Certification of Origin. The items sought for importation in block 8:

a. Do not contain parts or components produced by or for the U.S. military and do not contain parts or components manufactured with U.S. military technical data or assistance. ☒b. Contain parts or components produced by or for the U.S. military or parts or components manufactured with U.S. military technical data or assistance. ☐c. Contain parts or components produced by or for the U.S. military or components manufactured with U.S. technical data or assistance that were sold abroad pursuant to a Direct Commercial Sale licensed by the Department of State. ☐

10. Specific Purpose of Importation, Including Final Recipient, If Known (Use additional sheets, if necessary)

RESALE IN USA MARKET

11. Are You Registered as an Importer Pursuant to The Arms Export Control Act of 1976

Yes ☒ No ☐

12. If "Yes," Give Importer's Registration No. and Expiration Date (A-xx-xxx-xxxx)

A-83-073-0618 6-18-2013

Under the penalties provided by law, I declare that I have examined this application, including the documents submitted in support of it, and, to the best of my knowledge and belief, it is true, correct, and complete.

13. Name of Applicant (Printed)
Stacy N. Princes

14. Signature of Applicant

15. Title
President16. Date
1-31-2013

Section II - For ATF Use Only (Please make no entries in this section)

17. The Application Has Been Examined and the Importation of the Firearms, Ammunition, and Implements of War Described Herein Is:

Approved ☒Partially Approved for the Reason Indicated Here or on Attached Letter ☐Disapproved for the Reason Indicated Here or on Attached Letter ☐Withdrawn By Applicant Without Action ☐Returned Without Action for Additional Information ☐No Permit Required ☐

18. Signature of the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives

DI Pattern

FEB 15 2013


ATF Form 6 - Part I (5330.3A)
Revised August 2011

FFR 01 2012

AR5

NOTE: This permit does not authorize the importation of ammunition or ammunition components if they contain tracer or incendiary elements.

NOTE: this permit does not authorize the importation of the ammunition described thereon if: (1) it has a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium, copper, or depleted uranium; or (2) a full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile.

A handwritten signature in dark ink, appearing to read "John G. Smith", is located at the bottom center of the page.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0005 (07/31/2013)

Application and Permit for Importation of Firearms, Ammunition and Implements of War

Not for use by Members of the United States Armed Forces.

For ATF Use Only

Permit No. (Valid for 12 months from the date appearing in Item 19 below.) **14-00996**

For Applicant's Optional Use

Internal Control/Reference #

E-mail Address (Optional)

Section I - Application (Submit in triplicate) - For Applicant Use

1. Federal Firearms License (If Any)		2. Telephone No. (Including Extension No.)	3. Country of Exportation
License No. (X-xx-xxx-xx-xxxx) 9-91-033-08-5G-38718	Expiration Date July 1, 2015	425-882-1151	GERMANY
4. Name and Address of Customs Broker (Including Zip Code) Kuehn+Nagel, Inc. 1187 Thom Run Road Extension Suite 110 Moon Township, PA 15108 Check here if permit is to be returned to Customs Broker. <input type="checkbox"/>		5. Applicant's Name and Address (Including Zip Code) FW Arms, Inc. 8525 152nd Ave NE Redmond, WA 98052 Check here if permit is to be returned to applicant. <input checked="" type="checkbox"/>	
6. Name and Address of Foreign Seller, if any Sabine Schneider Waffenmunition Im Loffenkamp 2 31832 Springe Germany		7. Name and Address of Foreign Shipper SAME AS BLOCK # 6	

8. Description of Firearms and Ammunition (For firearms, enter (SG)-Shotgun; (RI)-Rifle; (PI)-Pistol; (RE)-Revolver; (DD)-Destructive Device; (MG)-Machinegun)

	Name and Address of Manufacturer	Type (Pistol, Rifle, Shotgun, Revolver, Destructive Device, Machinegun)	Caliber Gauge or Size	Quantity (Each type)	Unit Cost (U.S. Currency)	U.S. Munitions Import List Category	Model	Length of Barrel (Inches)	Overall Length (Inches)	Serial No.	New (N) or Used (U)
	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
Firearms	<input type="checkbox"/> See Attachment Please see reverse side for importation restrictions(s).										
Implements of War	<input type="checkbox"/> See Attachment Description										
Ammunition	Russian State Factories (Former USSR) Russia	(Ball) Wad. cutter. Shot, AP, Tracer (Rounds)	7.62 x 54R FMJ Ball	50,000,000		3a					
			5.45 x 39mm FMJ Ball	50,000,000		3a					
			7.62 x 38R FMJ Ball	25,000,000		3a					
	<input checked="" type="checkbox"/> See Attachment Nothing Follows										

10. Specific Purpose of Importation, Including Final Recipient, If Known (Use additional sheets, if necessary)

RESALE TO FFL DEALERS

11. Are You Registered as an Importer Pursuant to The Arms Export Control Act of 1976	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	12. If "Yes" Give Importer's Registration No. and Expiration Date (A-xx-xxx-xxxx)	A-38-154-0618 6-18-2018
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Under the penalties provided by law, I declare that I have examined this application, including the documents submitted in support of it, and, to the best of my knowledge and belief, it is true, correct, and complete.

13. Name of Applicant (Printed) Stacy N. Prinses	14. Signature of Applicant	15. Title President	16. Date 1-21-2014
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Section II - For ATF Use Only (Please make no entries in this section)

17. The Application Has Been Examined and the Importation of the Firearms, Ammunition, and Implements of War Described Herein is:			
Approved	<input checked="" type="checkbox"/>	Disapproved for the Reason Indicated Here or on Attached Letter	<input type="checkbox"/>
Partially Approved for the Reason Indicated Here or on Attached Letter	<input type="checkbox"/>	Withdrawn By Applicant Without Action	<input type="checkbox"/>
		Returned Without Action for Additional Information	<input type="checkbox"/>
		No Permit Required	<input type="checkbox"/>

18. Signature of the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives

FEB 21 2014

ATF Form 6 - Part I (5330.3A)
Revised August 2011

JAN 22 2014

AR8

NOTE: This permit does not authorize the importation of ammunition or ammunition components if they contain tracer or incendiary elements.

NOTE: this permit does not authorize the importation of the ammunition described thereon if: (1) it has a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium, copper, or depleted uranium; or (2) a full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile.

A handwritten signature in dark ink, appearing to be "J. H. Smith", is located at the bottom right of the page.